

EXHIBIT 6

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**From:** Tim Goss <Tim@freeseandgoss.com>  
**Sent:** Saturday, December 20, 2014 6:05 PM  
**To:** John Harloe  
**Subject:** Fwd: Cavness privilege log

Check out this email string. We are in the eye of the storm buddy.

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Begin forwarded message:

**From:** Rich Freese <[Rich@freeseandgoss.com](mailto:Rich@freeseandgoss.com)>  
**Date:** December 20, 2014 at 1:16:40 PM CST  
**To:** Christy Jones <[Christy.Jones@butlersnow.com](mailto:Christy.Jones@butlersnow.com)>  
**Cc:** William Gage <[wiliam.gage@butlersnow.com](mailto:wiliam.gage@butlersnow.com)>  
**Subject: Re: Cavness privilege log**

Christy let me be clear. I was merely telling you that we believed you have fulfilled your obligation to confer, as we believe we had. But it's Ethicon's position that dealing with our privilege issues is a matter for the MDL while we firmly believe that this is purely a state court matter governed by TX state law. You have told me that you would seek appropriate relief before Judge Goodwin, and not in Dallas County District Court. That is certainly your prerogative. We believe the Dallas court is the proper forum. Because it is apparent that neither of us will convince the other of our position, it seems that further conferring is futile. On a another note, I'm sorry about your disappointment. I have the highest respect for you and you partners, and have always believed that you have conducted yourself in good faith and with complete professionalism. I'm sorry you feel the need to challenge my professionalism. I'm ethically obligated to zealously represent my client as are you. I hate that you confuse my

advocacy as a lack of professionalism. You are certainly entitled to your opinion. Nevertheless, I look forward to working with you for what may be several more years. On another note, I'm gathering some more background info about our privilege issues that we can discuss when you call. Thx Rich

Sent from my iPhone

On Dec 20, 2014, at 1:45 PM, "Christy Jones" <[Christy.Jones@butlersnow.com](mailto:Christy.Jones@butlersnow.com)> wrote:

I have a call at 2:00 and will call you after that. I am really disappointed in your position -- particularly because I am not aware of any conference in good faith or discussion and cannot imagine why you would move forward without discussions. If I am right, and I confess that I am going to confirm before we talk, this is not the professionalism that I had come to expect of you and it does not bode well for our relations in the future. Again, though, I am going to confirm that I am right and then will call you. If I have incorrect information, you will have my apology. And what is the notice that you intend to issue -- a 30(b)(6) or for Lisa Warren's deposition?

Christy D. Jones  
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-----Original Message-----

From: Rich Freese [<mailto:Rich@freeseandgoss.com>]  
Sent: Saturday, December 20, 2014 12:08 PM  
To: Christy Jones; William Gage  
Subject: Cavness privilege log

Hi Christy. I have spoken with my team after our call yesterday. We do not believe that there will ever be a resolution of the privilege issue without court intervention. I believe we both conferred in good faith and simply put, we will never agree what is and is not a proper privilege designation. With the current deadlines we have concluded that we must move forward both on the privilege deposition and hearing on January 6th. We will serve a deposition notice on Monday. If you wish to discuss further, I'm available on my cell today or tomorrow. Thanks, Rich

Sent from my iPhone

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